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NOV 05 2004

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28584 7590 08/31/2004

**STALLMAN & POLLOCK LLP  
SUITE 2200  
353 SACRAMENTO STREET  
SAN FRANCISCO, CA 94111  
11/08/2004 DEMMANU 00000044 10653306**

01 FC:2501	685.00 OP
02 FC:1504	300.00 OP
03 FC:8001	15.00 OP

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Georgia K. Stith

(Depositor's name)



(Signature)

November 2, 2004

(D)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,306	09/02/2003	David E. Aspnes	TWI-5440	2771

TITLE OF INVENTION: BROADBAND SPECTROSCOPIC ROTATING COMPENSATOR ELLIPSOMETER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$685 \$685	\$300	\$985 \$985	11/30/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
SMITH, ZANDRA V	2877	356-369000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Stallman & Pollock LLP

2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

THERMA-WAVE, INC.

1250 Reliance Way, Fremont, CA 94539

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

- Issue Fee
- Publication Fee (No small entity discount permitted)
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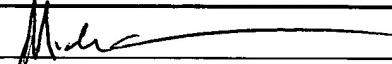
Payment by credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge the required fee(s), or credit any overpayment Deposit Account Number 50-1703 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office.

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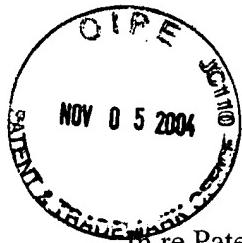
Date November , 2004

Typed or printed name Michael A. Stallman

Registration No. 29,444

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PATENT

-1-

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

David E. Aspnes et al.

Application No.: 10/653,306

Filed: September 2, 2003

For: BROADBAND SPECTROSCOPIC  
ROTATING COMPENSATOR  
ELLIPSOMETER

Confirmation No.: 2771

Group Art Unit: 2877

Examiner: Zandra V. Smith

**SUBMISSION OF ISSUE FEE**

353 Sacramento Street, Suite 2200  
San Francisco, CA 94111  
(415) 772-4900

M/S ISSUE FEE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Nov. 2, 2004.

STALLMAN & POLLOCK LLP

Dated: November 2 /2004 By: Georgia K. Stith  
Georgia K. Stith

Sir:

Per the Notice of Allowance and Issue Fee Due which was mailed August 31, 2004, enclosed for filing in the above-captioned case are form PTOL-85b and a check for \$1,000.00 to cover the issue fee of \$685.00, the publication fee of \$300.00 and the payment of \$15.00 for ordering five (5) advanced copies of the patent upon issuance.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-1703, under Order No. TWI-5440.

**A duplicate copy of this sheet is enclosed.**

Respectfully submitted,

STALLMAN & POLLOCK LLP

By: Michael A. Stallman

Michael A. Stallman  
Reg. No. 29,444

Attorneys for Applicant(s)

Atty Docket No.: TWI-5440